

1 THE HONORABLE TANA LIN  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON

9 BRIAN VANDERHEYDEN, individually and  
10 on his marital community's behalf;

11 Plaintiff,

12 v.

13 ADT COMMERCIAL, LLC,

14 Defendant.

15 NO: 2:22-cv-01024-TL

16 **STIPULATION AND PROPOSED  
17 ORDER EXTEND DISCOVERY  
18 DEPOSITIONS**

19 **NOTING DATE: November 22, 2023**

20 **STIPULATION**

21 The parties, through their undersigned counsel, hereby request an Order permitting the  
22 discovery depositions of witness, Mike Cunningham and to the extent necessary, a  
23 FRCP 30(b)(6) deposition of Defendant ADT Commercial, LLC, after the current discovery  
24 deadline of November 22, 2023. The parties believe good cause exists for the Court to modify  
25 its June 15, 2023, Order Resetting Jury Trial Date and Related Dates because this modification  
26 does not require the continuance of the discovery deadline overall and has no effect on the  
current trial date. Currently, the parties are working to complete discovery but due to the  
availability of Mr. Cunningham and the coming holidays, the parties would like the ability to  
conduct these depositions past the November 22, 2023, discovery deadline.

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29 STIP AND PROP ORDER TO EXTEND THE  
30 DISCOVERY MOTION DEADLINE (22-01024) - Page 1

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After Mr. Cunningham is deposed, Plaintiff will evaluate whether FRCP 30(b)(6) will need to be taken as to any topics. In addition, the parties intend to use the additional time afforded by these continued depositions to explore early resolution further.

Pursuant to LCR 16(b)(6) and 7(j), the undersigned counsel certify that their clients have been advised of this motion to continue depositions as well as the basis for the motion and that their clients agree with the motion.

Pursuant to Judge Lin's Standing Order for All Civil Cases, the parties have agreed to the following modifications to the June 15, 2023, Order Resetting Jury Trial and Related Dates:

- Discovery is extended to January 12, 2024, for the sole purpose of deposing Mike Cunningham, and if necessary to complete the FRCP 30(b)(6) deposition of Defendant. No other deadlines are continued. The parties request the Court to modify the discovery deadline accordingly.

DATED this 22nd day of November, 2023.

## FISHER & PHILLIPS LLP

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*Attorneys for Plaintiff*

## ORDER

Based on the foregoing Stipulation, it is hereby ORDERED that:

Discovery is extended for the purpose of deposing Mike Cunningham and the FRCP 30(b)(6) deposition of Defendant if needed. Both depositions will be completed no later than January 12, 2024.

Entered this 22nd day of November 2023.

Tana Lin  
Tana Lin  
United States District Judge